This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

B497271 O

STATE OF WASHINGTON.

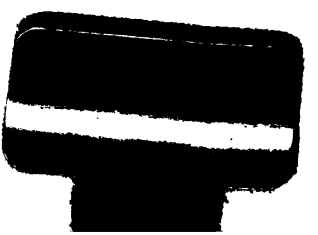
MESSAGE

OF

GOV. JOHN R. ROGERS

TO THE

LEGISLATURE OF 1899.



STATE OF WASHINGTON (State) Governo

J
87
.W215

MESSAGE

OF

GOV. JOHN R. ROGERS

TO THE

LEGISLATURE OF 1899.

OLYMPIA, WASH.
GWIN HICKS, - - STATE PRINTER.
1899.

GOVERNOR'S MESSAGE.

Gentlemen of the Senate and the House of Representatives:

Government, in a republic, must depend upon the intelligence and the sense of justice of the people attempting to govern themselves. Give the people of the Chinese nation a declaration of independence and a United States constitution and nothing with them would be changed. The masses of that people could not comprehend these instruments or their usefulness. For them they could have no usefulness. Likewise for us the proclamation at this time of an absolutely perfect law would be out of place, and for the same reason. As with the Chinese, law can do us no ultimate and final good unless supported by an almost unanimous public opinion. Law not thus supported always does harm in the long run. The pendulum of public opinion, always swaying back and forth in the public mind, having swung to one extreme is almost irrestibly impelled to the other. Revolutions of all kinds, including those just and proper impulses of the body politic in the right direction, have always had much to fear from intemperate advocates, from extremists and from corruptionists who, existing in all political parties, largely escape observation in the ordinary course of events, coming prominently into view only when an attempt is made to get rid of them Revulsion in the public mind is thus brought about, and men endure what for the time they fear cannot be cured. But the world does move, and sooner or later the public conscience again aroused forces men

once more to action. Another step is taken, this time a little in advance of the last. Thus, irresistibly, though slowly and haltingly, the march of public opinion carries us forward. Even in foreign countries we see that public opinion is the power behind the throne greater than the throne itself. In Germany we have recently seen that the emperor has been unable to carry out his will in the matter of socialistic repression. Public opinion would not justify this almost absolute monarch in the measures proposed; and this was sufficient to veto. Even in Russia, half civilized as it is, it is only because the Czar, from his position as the head of the Greek church, is looked up to as the Little Father, and the next in godness and authority to the Great Father, or God Himself, that he is enabled to reign at all. In our own country public opinion is not only the power behind the throne, but it constitutes also the throne itself. Argument, education and the slow and gradual formation of a just public opinion it is thus seen must precede the enactment of statutes. And yet large numbers believe that if it be possible to induce a mere majority to pass a law, to place upon the statute books a moral mandate, that thereby the thought of man and his daily action which proceeds from that thought can be immediately changed. But this is a fallacy. A people can only advance by the slow and gradual methods which are seen in the long and devious course of the past to have been there effectual. Laws can never properly, nor successfully, out run that general average judgment, that practical unanimity of feeling which we term public opinion.

Among us as Americans government proceeds from the will of the majority as expressed at the polls. It is supported by public opinion which, proceeding from an im-

perfect mass, being modified to some extent by the thought of the evil as well as of the good, necessarily represents the people who give it expression. If we believe in a republican form of government, if we are to support the government of the majority, we are obliged to say that this imperfect rule is not only for the time right, but that it is the best possible rule; that is, the best possible for the imperfect men who are in this way attempting to govern themselves. In a government of the majority the individual citizen is the unit, and each unit has as much right to have his opinion expressed in the law as any other, for it would be manifestly unjust for a few, even though wiser than the majority, to have their opinions placed in the mandatory law to the exclusion of the wishes of a majority. Government and a code of laws in a republic are expressions of the will of the people, and are always representative of the sum total of the character of the people instituting them. Government and the making of laws, it is thus seen, must necessarily consist of a series of compromises between opposing opinions and interests. For these reasons the only way in which law and government can be permanently bettered and advanced is by slowly and laboriously changing, elevating and educating the masses of the people, and this cannot be done by a mere act of the legislature, or of congress.

If this be true, and I think it cannot be successfully controverted, it should be clear and plain that the only way in which law can be permanently changed for the better is by the slow process of gradually informing and enlightening the public mind and heart. If by unwise and extreme action, or by the passage of laws for which the general public is not yet prepared, the pendulum of opinion is swayed

too much in one direction, even though this proceed from the best motives, it will assuredly go to the other extreme before it can be arrested. No doubt these statements of fact will be exceedingly unwelcome to those hopeful souls who earnestly desire the immediate advent of a better day. And yet if the statements here made are true, if in the way stated it is plain that men can only advance and make permanent gain, it is the duty of all to lay aside the notion of immediately bringing on the millennium by act of legislature and join in the effort to gradually change the current of thought among men. The propagandist of any theory of government will do well to concern himself first with the formation of public opinion. When this has been secured the thing will enact itself. He cannot permanently succeed without this.

I sincerely hope that this legislature will enact those laws called for by the general average judgment of the people of this state, and that it will severely repress any attempt to enact statutes not thus supported.

PUBLIC EDUCATION.

The wisdom, advisability and necessity of public education is a matter upon which public opinion needs no awakening. It is the one subject above all others upon which all true Americans are agreed. How best at the present time to accomplish the purposes of education remains for this body to determine.

Our state constitution provides as follows, article IX:

"SECTION 1. It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste or sex.

"SEC. 2. The legislature shall provide for a general and uniform system of public schools. The public school system shall include common schools, and such high schools, normal schools and technical schools as may hereafter be established. But the entire revenue derived from the common school fund, and the state tax for common schools, shall be exclusively applied to the support of the common schools."

In these provisions the American system of public education is plainly set forth thus: "The legislature shall provide for a general and uniform system of public schools." Clearly, then, all property should be taxed alike for the equal benefit of all children, otherwise the system cannot be uniform. There should be, there can be no favoritism whereby a few here and there shall receive large appropriations and large benefits while the majority are left without those educational advantages which have become the birthright of American citizens. Four years ago the legislature by the passage of what was popularly known at the time as "the barefoot schoolboy law" made an attempt to carry out the mandatory provision of the constitution, "the legislature shall provide for a general and uniform system of public schools." It must be a self-evident proposition to all that no general and uniform system of public education can be established throughout this state except by a state tax to be levied and collected as other state taxes are. Under the law as it now stands taxes not to exceed four mills on the dollar are levied and collected as other state taxes are, sufficient to produce six dollars annually for each child of school age. This not producing a sufficient sum for the support of common schools, is helped out in most instances by the proceeds of local taxation. It is the almost, if not quite, unanimous opinion among educators throughout the state that the law should be amended and the sum col-

lected for the support of common schools largely increased, and this can be done without increasing the limit of four mills established. I am informed from the office of the State Superintendent of Schools that in 1898 a levy of less than 2¼ mills only was required to produce $6 for each child of school age. At the same rate 3 mills would produce $8, and 3¾ mills would produce $10. It is probable, however, that a statement even more favorable than this could be made, for the reason that the next two years, from local causes, are likely to see a greater advance in the value of property than in the number of children of school age. The amount collected should be $10 for each child. This would place Washington at once in the front rank among the states in educational matters, only a slight increase in the rate of taxation being required. The constitution provides that money so collected must be used for the support of the common schools, where nine-tenths of our children get all the education they are enabled to obtain; it cannot be used for the support of what is called higher education. That colleges and universities are necessary I verily believe, but I do not believe that nine-tenths and probably a much greater proportion of pupils in the common schools should suffer and be denied, that one-tenth or less may receive the culture and polish of a college education. Raise the amount collected under the state law to $10, as was originally proposed, and elevate the standard of education among the great plain people from whom will come, in the future as in the past, the future moulders of opinion and directors of events. I presume that a good readable book, giving a biographical account of some useful and successful man, would probably have a larger influence for good upon the minds of country

boys than almost anything else that might be named. And in a general way it may be said that country boys are the only really valuable boys, for among them, almost without exception, will be found the future strong men of the nation. I hope that this legislature will increase the efficiency and the usefulness of the common schools. A comparatively small amount — say $300 for each county — will supply a small circulating library, say fifteen volumes, in a strong wooden case, for each school in the county; these volumes to be in charge of the county superintendent and circulated from one school to another throughout the county. Each scholar would thus have the benefit of quite a large library. A taste for good reading would thus almost inevitably be acquired and vast and almost incalculable good be done, and the character of the future men and women of this state be elevated to a higher plane.

A demand is now made for the appropriation of money for the support of more normal schools, affording good positions for a few professors, which in actual practice become so many high schools at state expense, particular localities being favored at the cost of the rest of the state. Follow out the plan here suggested of increasing the efficiency of the common schools and each town of any size may have a high school in connection with its graded schools which will afford, with the cadet system and training school now in use in some of our towns, all the advantages of a state normal school, and each county may and ought to have one or more. Let us not particularize, but give all an opportunity. At the present time large numbers of boys and girls in remote country districts are able to have the benefit of only a very few months' schooling each year. This partiality should cease. Teachers, like poets,

are born and not made. If one has the natural adaptability and the necessary education he will make a good teacher. If he has not these two essential qualifications, the state is wasting money in attempting to work against nature.

During the recent visit to this state of President David Starr Jordan, whose fame as an educator is co-extensive with the Union, I consulted him regarding the educational problems now presented to the people of our young and growing state. Indiana, he told me, has but one normal school, and it is a good one and its diploma of value. He spoke strongly against the policy of increasing the number of state normal schools, and gave it as his opinion that no normal school upon this Coast, as at present conducted, is of especial value to the educational system of the state supporting it. He was of opinion, as we all are now, I presume, that the Agricultural College and the State University should have been consolidated. Now, however, that mistake cannot be remedied. Let us see to it that we do not make like mistakes in the future. Let us have as few colleges for the less than one-tenth of our youth who attend as possible. We shall then be able to liberally sustain them.

REVENUE AND TAXATION.

If the state is to continue to exist it must be supported and taxes must be collected. Public opinion demands that these be taken from citizens and corporations in just proportion to their possessions. Evidently those having large interests stand in greater need of the protection of the law than do those having little or no property to protect. Much inequality in the assessment and collection of taxes has, however, been the rule in this state as in many others.

Some of the older states have, however, made notable and successful efforts toward remedying this injustice.

In New York, Pennsylvania and New Jersey state taxes are largely obtained by taxing corporation stock, incomes, collateral inheritances, foreign insurance companies, the liquor traffic, etc. In Pennsylvania this is notably the case, as shown from the report of the state treasurer for the year 1897:

Tax on personal property	$2,476,241 77
Tax on capital stock	3,696,445 27
Tax on corporate loans	1,076,242 65
Tax on bank stock	596,011 20
Tax on corporate gross receipts	675,432 55
Tax on collateral inheritances	894,956 64
Bonus on charters	602,717 23
Tax on premiums	575,829 65
Wholesale liquor licenses	457,177 29
Bottlers, brewers and distillers' licenses	242,144 31
Tax on incomes	85,729 18
Various other items, aggregating in all	13,117,983 17

From this it will be seen that some $12,000,000, in round numbers, are obtained in Pennsylvania from corporations and estates which in this state largely escape taxation.

The system of taxation is followed to some extent in New York, as is seen from the following report of the state comptroller of New York for the year 1898:

Insurance tax	$199,797 07
Organization tax	152,646 34
Corporation tax	2,259,646 49
Inheritance tax	1,829,941 83
Excise tax	4,002,938 21
Various other sources	263,554 82
Amounting in all to the sum of	8,708,524 76

In the state of New Jersey the same plan has been in part adopted. From the report of the state comptroller for 1897 the following extracts are taken:

Tax on railroad corporations	$1,115,464 61
Tax on miscellaneous corporations	707,041 69
Tax on collateral inheritances	113,823 43
From official fees	198,620 79
Various other items, amounting in the aggregate to the sum of	2,298,777 88

The comptroller of New York in his last report recommends that the system of taxation in operation in the state of Pennsylvania be followed more generally than has been the case in New York. Gov. Pingree of Michigan in has last message calls the attention of the legislators of that state to the inheritance tax as a just and proper means of deriving revenue which should be placed in operation. Ohio, too, has begun to adopt the methods employed in Pennsylvania.

Two years ago the attention of the legislature was called to the fact that large interests escape taxation while the struggling home-owner is, as a consequence, burdened with unjust and unnecessary taxation. But little attention was paid to my recommendation. I again ask that these wrongs be righted. If all are compelled to pay their just share of necessary taxation, thereby sensibly reducing the rate or per cent. paid, renewed confidence will be felt by financiers everywhere in our ability to deal justly with all. The much desired investment of outside capital will readily follow.

In 1897 the Treasurer was directed to invest the money held in certain funds in state warrants at par. This he has been unable to do, by reason of the fact that warrants could not be obtained without paying 2 to 3 per cent. premium. At the present time the amount of money on hand is still larger than at that time. I am of the opinion that the rate of interest should be reduced to five per cent.

and the Treasurer required to invest idle money in warrants at market rates. This would save large sums to the state. During the last two years alone $300,000 have been paid as interest upon the state indebtedness. Upon warrants accrued interest has averaged twenty per cent. of the amount paid. In private business this would be shameful. What merchant having large sums of money in one place would pay thousands of dollars in interest because the money to pay his debts while in his possession was not in a particular drawer of his safe? Some day the state will have but one fund and business will be conducted as it would be by any reputable bank. Hundreds of thousands of dollars will not then be paid as interest to warrant dealers, for the reason given that while money to pay is in one pocket it is not in another. I hope that this Legislature will have the wisdom and the honesty to come to the rescue of the unjustly treated taxpayer.

The revenue law of 1897, while possessing some features not unanimously approved, has yet proved most effective and much the best, all things considered, yet placed upon the statute books. The usual biennial disposition to amend the laws may be expected to attack it and yet it is submitted that a known and settled policy is of large value in this matter. When taxes are levied they should be collected, and as there can be no effective law without penalty, some plan must be used making it cheaper to pay than not to pay. If this is not done large corporations put off payment as long as possible and then offer to compromise at half rates. Often in the past this course has been successful in defrauding the treasury to the injury of honest citizens. I hope that efforts in this line may not be countenanced by this body. In my opinion, by following the

course outlined and pursuing a careful and economical policy the State of Washington may shortly pay off its entire indebtedness. The statement of the State Auditor, just published, will show that during the past two years state indebtedness has been reduced more than a half a million dollars. In addition to this more than three hundred thousand dollars as interest upon debts previously accumulated has been paid.

PUBLIC INSTITUTIONS.

In the message to the Legislature of 1897 it was recommended that the several boards having charge of the Penitentiary, Reform School, the two Insane Hospitals, the Soldier's Home and the School for Defective Youth be abolished and the control of these institutions be vested in one board, one member only to be salaried, who should perform the services usually devolving upon a Traveling Auditor. It was also suggested that under this improved management supplies could be more advantageously purchased, more responsibility and greater system secured and in the aggregate a large saving affected. In accordance with this suggestion the law creating the State Board of Audit and Control was passed and the institutions named, with the exception of the school for defective youth, were placed in its charge. With the exception of some slight and almost infinitesimal misunderstandings at the time of assuming control, the work of this board has proven most advantageous to the state in the matter of economy and to the inmates in increased comfort and improved surroundings. All the institutions are in a most prosperous condition and the inmates carefully and considerately treated.

For details regarding these institutions see the several printed reports of their various superintendents; also that of the Commissioner of Public Institutions. As showing the saving effected the following carefully prepared and accurate statistical table is submitted:

STATE PENITENTIARY.

Average daily cost per capita, two years ending March 31, 1897	.4436
Average daily cost per capita, 18 months ending Sept. 30, 1898	.3930
Daily saving per capita, 18 months ending Sept. 30, 1898	.0506
Average population	362
Saving per day	$18 32
Saving for 18 months or 548 days	10,039 36

WESTERN WASHINGTON HOSPITAL FOR THE INSANE.

Average daily cost per capita, two years ending March 31, 1897	.4268
Average daily cost per capita, 18 months ending Sept. 30, 1898	.3662
Daily saving per capita, 18 months ending Sept. 30, 1898	.0606
Average population	540.3
Saving per day	$32 74
Saving for 18 months or 548 days	17,941 52

EASTERN WASHINGTON HOSPITAL FOR THE INSANE.

Average daily cost per capita, two years ending March 31, 1897	.5589
Average daily cost per capita, 18 months ending Sept. 30, 1898	.4335
Daily saving per capita, 18 months ending Sept. 30, 1898	.1254
Average population	288.7
Saving per day	$36 20
Saving for 18 months or 548 days	19,837 60

STATE REFORM SCHOOL.

Average daily cost per capita, two years ending March 31, 1897	.3670
Average daily cost per capita, 18 months ending Sept. 30, 1898	.3324
Daily saving per capita, 18 months ending Sept. 30, 1898	.0346
Average population	143.4
Saving per day	$4 96
Saving for 18 months or 548 days	2,688 08
Total saving in the above institutions	50,506 56

WASHINGTON SOLDIERS' HOME.

Average daily cost per capita, two years ending March 31, 1897	.44
Average daily cost per capita, 18 months ending Sept. 30, 1898	.4508
Increase in cost per capita, 18 months ending Sept. 20, 1898	.0108
Average population	116.4
Increase in cost per day	$1 25
Increase in cost for the 18 months	685 00
Total net saving in all institutions	49,821 56

In the face of a slightly rising market the saving for the full biennial term will be considerably more than $60,000. Added to this the following will show a decrease in expense of management:

Expenses of the various boards of trustees for the two years ending March 31, 1897	$9,908 50
Expenses of the State Board of Audit and Control for 18 months ending Sept. 30, 1898, (this amount includes all office expenses which are not included in Trustees' expenses)	5,775 01

No doubt local influences will be brought to bear upon the legislature to bring about a return to the old and discarded plan of local management. The method here practiced, however, of a central and responsible head employ-

ing a traveling auditor to constantly supervise and oversee local superintendents is that made use of by all large and efficiently managed corporations. Indeed, no other plan is now considered successful or businsss like. How a railway company, for instance, would be able even to continue in existence if business done at each town and city on its route should be conducted by a local board constituted from "our best citizens," it might be difficult to determine, and yet this was precisely the way in which the different state institutions were managed when the State Board of Audit and control took charge.

The school for defective youth should be, by amendment to the statutes, included in the number of institutions under the charge of this board, as at first proposed. In this way a large saving and better management can be secured. In round numbers the number of inmates at this school has been about the same as at the State Reform School. At the reform school the boys and girls are kept for twelve months in the year. At the school for defective youth but nine months in each year. At the reform school the inmates are mostly strong and healthy, making large demands upon the eatables provided from day to day. At the school for defective youth, on the contrary, the children are smaller, not so rugged, and it would appear should be much less expensive, when it is cousidered that school continues but nine months in the year, and yet the appropriations for the two institutions for the last biennial term were as follows:

SCHOOL FOR DEFECTIVE YOUTH.

Maintenance	$58,060 00
Electric light plant	1,800 00
Total	$59,860 00

STATE REFORM SCHOOL.

Maintenance	$24,000 00
Salary fund	14,000 00
Furnishing and repairs	2,000 00
Transporting juvenile offenders to school	3,000 00
Total	$43,000 00

In addition it may be said that in no state will be found a better managed institution or one in which greater good has come to its inmates than the Washington State Reform School under the most efficient care of Director Thomas P. Westendorf. People from all over the Union are loud in their praises of the good work done there, and yet a careful economy has brought the per capita cost of that institution to less than 34 cents per day. At the Oregon reform school the daily cost per capita for the last twenty months is more than 80 cents, as given by officials.

Believing that a wise economy directs the payment of good salaries to trusted financial agents, I recommend that the salary of the commissioner of public institutions be raised from $1,500 to $2,000 per annum.

RAILWAY LEGISLATION.

Public opinion throughout this state regarding railway fares and freight rates has long ago crystalized and become fixed. No large body of the people, no sensible citizen even, wishes to unduly tax or to embarrass the railways in their management, but it is known to all that the people have for years been entitled to relief from excessive charges imposed by these public carriers. Against the influences exerted in this house in times that are past public opinion and the just complaints of shippers have proved weak and ineffectual. The wind raised by the passage through these halls of railway attorneys has toppled over legislature after

legislature. Elected upon the most solemn promises to do all in their power to curb the despotic rule of their railway masters, legislators have trumped up specious excuses for use among their constituents at home, but the fact remained that they were false to the trust given into their charge by their constituents. Thus time has passed and the people have wondered whether indeed we were possessed of a republican form of government or whether our real masters were not ensconced in easy chairs in the directors' rooms in New York and Boston. At no time has the general public throughout the whole state been more strongly impressed with the rightfulness of a prudent, cautious and just supervision by the state of railway fares and freight rates than is the case at this present moment. It is not the feeling in any quarter that our railways should be subjected to unjust impositions, but rather that railroad managers should be prevented by just and proper legal enactments from unjustly imposing ruinous rates upon the growing traffic of our young and most promising state. And yet in spite of this unanimous feeling among all classes and conditions of our citizenship it is whispered about, has become a matter of common notoriety, no member of this body being ignorant of it, that the railroads will prevent at this session the passage of just and proper laws for the relief of the people in this matter. The names and positions of men making these statements make the matter worthy of notice.

In view of these things I ask the legislature to manfully do its duty, thus proving the statements of railway attorneys and advocates to be but the idle boastings of those who would prevent that justice which you are here to secure. To the legislature of 1897 the governor said:

"The proper regulation and control of common carriers, including railroad and steamship lines, telegraph and telephone companies, is a problem difficult of solution. Government ownership is the only final remedy; but that is yet in the future. Freight rates and passenger fares in this state are exorbitant. They should be reduced. But whether public interest would best be subserved by placing the matter altogether in charge of a commission; or attending to it by direct legislative enactment, those most to be benefited by a reduction are not agreed. It seems to me that the best results could be obtained from a law establishing a maximum scale of rates and fares, and providing for the enforcement of the law through the agency of a commission, giving the commission power to further lower the scale, as time and circumstances may justify. Inasmuch as the governor of the state is responsible for the execution of the laws, I believe that such commission should be appointed by him, any member of it to be removable at the will of the governor. Thus faithfulness to the people would be insured, or the governor justly held to account. The expenses of a transportation commission ought not to be burdensome, and would amount to an infinitesimal part of the direct benefit accruing to the patrons of common carriers within the state, as a result of reduced rates and a better regulated service."

To what was then said I have to add that a decision of the United States supreme court in the Nebraska case, since rendered, has emphasized the necessity of a railway commission as the only practical means of securing the remedies desired. This commission should consist of three men, one of whom at least, should belong to the political party in opposition to the appointing power. The members should be broad minded men of affairs, possessing the confidence of the people of the state; men who would be able to carry an even and impartial hand in the decision of the complex matters brought before them. This commission should be given all necessary power, the decisions of the board to be appealable to the supreme court. The board should be appointed by the governor and should be removable by him. If elected for four years its members

very soon become fixtures in their own minds, and as has been the case in other states, little good to the people results. We will suppose for the moment a proper law passed by this legislature, and that some future governor appoints a board of railway commissioners that fails in its duty. Immediately the people are able to bring the responsibility home to the governor, and even though he be a weak and ordinary politician, for his own security and the maintenance of a political reputation, he will be obliged to heed the complaints of the people. Thus a remedy is always at hand. But all would fail if the board were not given sufficient power.

FREE PASSES.

I renew the recommendation made to the legislature of 1897 regarding the giving and acceptance of free passes by transportation companies. It was then said:

"Section 39 of article 2 of the state constitution stipulates that: 'It shall not be lawful for any person holding public office in this state to accept or use a pass, or to purchase transportation from any railroad, or other corporation, other than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision.' Section 20 of article 12 of the constitution provides as follows:

"'No railroad or other transportation company shall grant free passes or sell tickets or passes at a discount, other than as sold to the public generally, to any member of the legislature, or to any person holding public office in this state. The legislature shall pass laws to carry this provision into effect.'

"The legislature has never passed the necessary laws to enforce the provisions of the constitution, and hence they have been practically inoperative. No time should be lost in providing by law that corporations issuing free passes and officials accepting them shall be properly punished."

THE NATIONAL GUARD.

The fathers of the republic were unanimous in the belief that a well regulated militia was one of the chief supports

of our system of government. So long as our government is loved and trusted so long will the people spring to arms in its defense when assaulted either from within or without. The volunteer soldiery has always deserved well of the nation when properly commanded and directed. Wise and considerate care directed to the equipment and maintenance of a military force to be used only when demanded by the best interests of the whole people will be well repaid by the preservation of public order. Instant readiness to repel assaults upon the honor of the state or nation will of itself tend to prevent attack and preserve the peace. It is with states and nations as with men. He who does not stand ready to defend his rights will shortly have no rights worth protection. I believe a moderate sum should be appropriated by this legislature for the support of the national guard. Attention is called to the printed report of the adjutant general.

Early in March, 1898, serious trouble appeared to be brewing among the fishermen of the Columbia river upon substantially the same grounds as had previously led to the calling out of the national guard in what was at the time jocularly known as "The Sand Island War." Application, however, to the national authorities, removed all source of trouble.

The following telegram was sent March 25 :

Hon. Russell A. Alger, Secretary of War, Washington, D. C.:

I am reliably informed that certain parties have begun driving piling on the south side of Sand Island, a Government reserve just inside the mouth of the Columbia river. If permitted to erect permanent fish-traps at this place a very dangerous obstruction to navigation will be permitted. Several hundred fishermen pursuing their daily avocation will have their lives placed in jeopardy. If permission has been granted these men to erect

permanent fishing appliances at this point please have the order revoked. Please wire reply.

J. R. ROGERS, Governor.

To this the Secretary of War replied as follows :

WAR DEPARTMENT, WASHINGTON,
April 2, 1898.

Hon. J. R. Rogers, Governor of Washington, Olympia, Wash. :

SIR : Replying to your telegram of the 25th ultimo, with reference to pile driving and the erection of fish traps on the south side of Sand Island, at the mouth of the Columbia river, I beg to inform you that the local engineer officer at Portland, Oregon, reports to the chief of engineers, United States army, under date of March 30, 1898, that fish traps at the locality indicated will not interfere in the least with navigation proper, but that they are in violation of the act of September 19, 1890, and that therefore he will direct their removal. Very respectfully,

R. A. ALGER, Secretary of War.

Thus what at one time seemed likely to cause an outbreak was promptly checked,

During the late war with Spain the men of the national guard being given the privilege of volunteering in the service of the United States, honored the state by a prompt and most gratifying acceptance. The guard as a state organization was not called out for service. The state had no need of its services. When called upon by the president for troops in the recent Spanish war, one regiment of infantry was named as the quota of the State of Washington. I immediately communicated by wire with the several captains of the different companies of the guard throughout the state. Dispatches were sent to each as follows :

MONDAY, April 25, 1898.

To Captain ——, ——, Wash.:

How many men can you offer for enlistment in infantry regiment of Washington volunteers United States service? How soon can you have them ready for mustering into service? What equipment can you supply? Wire answer.

J. R. ROGERS, Governor.

Twelve captains were selected and given authority—not as state's guardsmen but under the call of the president

for United States volunteers—to each raise a company for service in the national army.

Other telegrams were sent, and on Friday, April 29, orders to march were issued as follows:

To Captain ——, ——, *Wash.:*

You and company take Northern Pacific train for Tacoma Saturday. Bring with you all camp equipage and utensils and blankets. Take seven days' rations according to United States regulations. Advise men to provide well with clothing and blankets. For rations get bill against United States government in triplicate. For transportation sign vouchers against United States government for number of men and baggage and keep copy. Leave balance of property, if any, with responsible person according to instructions from General Ballaine. Wire answer. J R. ROGERS, Governor.

Sunday morning, May 1, the full regiment was in camp just outside the city of Tacoma, more men offering than the government would, at that time, accept. Afterward, under a second call the state was asked to furnish additional men to fill up the regiment to a maximum of 1326, which was done. It is not too much to say that reports of the soldierly bearing and gentlemanly conduct of the officers and men of the First Washington Volunteers wherever that regiment has appeared, have caused a thrill of pride to glow within the heart of every good citizen of the state. And this largely comes from the fact that the men of this regiment received their training as members of the national guard.

Under a second call from the national authorities additional men were furnished, as has been stated, to the First regiment and an independent battalion of four companies was mustered in at Tacoma and assigned to duty at Vancouver barracks. This organization, too, by its rapid improvement and assumption of soldierly life and duties won

the good opinion of all who had an opportunity to observe it.

On October 28, 1898, the independent battalion was mustered out of service.

At the present time the guard is being reorganized and equipped under the immediate supervision of the adjutant general, a most competent officer. That an able man may be retained in this position I recommend that the salary of the adjutant general be raised to $2,000 to correspond with that now paid the heads of other departments.

At the time of volunteering in the service of the general government it was understood that the United States would pay all expenses of transportation and subsistence from the day on which the men left their homes. Arrived in camp in Tacoma many were rejected for physical disability and have since laid claim to reimbursement for their services from the state. But this has been inadmissible. The state did not order them out nor had it any use for their services. It is suggested, however, that wise economy and just care of the patriotic citizens who volunteered, though unable to pass muster, might make it the duty of this body to appropriate such moneys as will afford claimants able to prove their service a reasonable remuneration.

EXAMINATION OF STATE BANKS.

One of the most important matters to be brought before the legislative department of this state will be the enactment of a law providing for examination of state banks and the appointment of a state bank examiner. Grevious losses have fallen upon depositors in banks in this state in the past, such as might have been prevented by the proper regulation and examination of state banking institutions.

The state is able to and certainly should throw around such institutions the safeguards now existing with relation to national banks. The business of banking is eminently a public one, depending for its success upon the use of deposits made by the public. The people who do business with the banker, and the general public, thus acquire a right to know the state of affairs prevailing in the institutions upon which business in the several communities is made largely to depend. Honest and prosperous bankers will welcome examinations at frequent intervals, which will give them opportunity to advertise their standing and increase their business, while dishonest and unsuccessful ones should be weeded out, to the great advantage of communities infested by them.

THE FISHERIES.

The salmon fisheries of the state have, in the past, been wonderfully productive. Of late, however, evidence of a decrease in the run is apparent, and all are agreed that something ought to be done to prevent the final extinction of a great industry. Two methods are urged: regulation of the means employed in taking the fish, and artificial propagation. The most enlightened government regulations, such as are in force in Europe and followed to some extent at least in the neighboring territory of British Columbia, utterly prohibit some of the appliances made use of in this state. My own opinion is that this prohibitive legislation proceeds from scientific knowledge, and that the use of appliances here, prohibited there, arises from that short sighted policy which looks only to present profit, regardless of the future. For myself, however, I make no

pretension to knowledge in this matter, commending it to your most painstaking and patient care.

Artificial propagation of fish, while comparatively new, appears to rest upon approved grounds, being supported by practical as well as scientific men. Hatcheries have been established and most successfully managed in this state. In the present condition of affairs these appear to be the only means of keeping up the supply and thus preserving the industry.

The fisheries of this coast in all their different departments bid fair at no distant day to prove a source of great wealth. No industry of the state can be more benefited by wise and protective legislation. The fish commissioner has prepared a very interesting and valuable report to which I ask attention.

STATE CAPITOL.

The State of Washington is and has been since its organization without a suitable building for the various state offices. At the present time offices are rented at an annual rental of over six thousand dollars. Some inconvenience results from crowded quarters and lack of proper appliances. To remedy this, some years ago an architect was employed, a plan adopted and a foundation prepared for the erection of a capitol building, estimated to cost about a million dollars. The constitution of this state provides in the most explicit terms that the indebtedness of the state shall never exceed the sum of $400,000. There has been donated, however, by the general government to the state of Washington 132,000 acres of wild land for the purpose expressed of aiding in the construction of public buildings. Laws have been passed creating a capitol commission and

providing for the creation of a capitol building fund to arise from the proceeds of the lands when sold. On this imaginary fund, which has never contained a dollar, warrants bearing eight per cent, interest, aggregating $95,374,-73 have been issued. These, with accrued interest amount at the present time to about $125,000. For this sum, which is increasing at the rate of about $8000 annually, the state has the foundation before referred to for which the contractors received less than $48,000. During the legislative session of 1897 a bill was supposed to have passed, although it lacked the constitutional number of votes in the house, appropriating $500,000 from the aforesaid capitol building fund. On $250,000 of this, by the terms of the bill, the state guaranteed interest at the rate of four per cent. The bill did not adequately protect the state, did not receive a constitutional majority and was vetoed by the governor.

The building of state capitols, has with few exceptions, led to enormous expenditure and many scandals. The state of Iowa appropriated $2,000,000 and had expended at last accounts $5,000,000. Whether the building is yet completed or not I am not advised. This is, I think, an average example as public buildings are now constructed. Nearly forty years ago New York adopted a plan and appropriated $10,000,000, which sum it was agreed was ample for the completion, construction and furnishing of the finest state capitol in the land. Considerably more than $20,000,000 has been spent upon the building, change after change made in the plans, and the last message of Governor Frank S. Black, of 1898, expresses the hope that the edifice begun nearly forty years before may soon be finished.

The people of this state are radically opposed to any plan which commits the state to extravagance of this character, just as we are beginning to pay off past indebtedness and improve our financial standing. It is proposed, however, to issue warrants drawn upon a fund which may have an existence when the wild lands previously mentioned have been sold and from the proceeds of the sale of these warrants build a capitol. But this has already been tried During the session of 1895 $930,000 was appropriated by the legislature from this non-existent fund; making with the $70,000 in warrants previously issued, an even million of dollars. Bids were called for and submitted and a resolution passed by the capitol commission that if warrants could be sold at par the contract should be let to the lowest bidder. But the warrants could not be sold and no contract was entered into. Evidently investors were afraid of the security, for where in the United States did public lands ever bring anything but paltry sums per acre into the state or national treasuries ? The tide lands belonging to the state during the halycon days of "the boom" were said to be worth $30,000,000, but although these lands were undoubtedly of exceptional value from their proximity to growing cities they have been largely frittered away tor comparatively small sums.

In the present emergency a plan has been a number of times suggested which if approved by this body might bring immediate relief and settle for the time at least a vexing question. The Thurston county court house, it has been said, could by a proper presentation of the matter be purchased by the state. This is a beautiful building, costing some $150,000. With an ell or wing to be added to the rear containing the necessary chambers for the Sen-

ate and House of Representatives, all necessary accommodations could there be secured at a moderate cost and without delay.

STATE PRINTING.

Since the organization of the state the following appropriations have been made for public printing:

1890	$ 40,000
1891	60,000
1891-3 (Deficiency)	52,500
1893	70,000
1893-5 (Deficiency)	5,000
1895	50,000
1897, including revolving fund and printing charged to maintenance funds, at least	60,000
Total	$337,500

It is not claimed by anyone conversant with state matters that this large sum has been necessarily or wisely expended.

South Dakota is a state of about Washington's population and presumable public business. In that state the appriation for public printing for two years last past was $15,000, only $12,000 of which was used. North Dakota expended $10,000. In Montana the appropriation was only $6,000. A deficiency has resulted, however, and the total expense will probably reach from $8,000 to $10,000. In Idaho the appropriations for public printing have been as follows:

1891	$ 7,550
1893	10,250
1895	11,600
1897	6,650

The appropriations for the four states of Montana, Idaho, North Dakota and South Dakota for public printing for the last biennial term amount to $37,650, or only a little more than half that required in the state of Washington. In each of these states public printing is let by contract.

On the other hand Oregon with a system similar to our own has expended during the last two years from $80,000 to $100,000.

I have presented these matters for consideration with the hope that the legislature will be able to provide a remedy for much unnecessary expenditure, adding that any good business man would make short work of the difficulty. In my opinion reputable Washington firms can be found to perform all necessary services in this line for one-half the money previously expended.

CONCURRENT LEGISLATION.

Some action should be taken looking to concurrent legislation in the states of Washington and Oregon regulating and licensing salmon fishing on the Columbia river where it forms the boundary line between the two states. At the present time there being no concurrent laws upon the subject there is constant clash of authority between the said states. It is almost impossible to enforce Washington laws upon the subject, as they are constantly violated by fishermen living on the Oregon side of the river, and to enforce the law simply to compel residents of Washington to contribute license fees to a fund for the propagation of fish to be caught by Oregon fisherman who pay no license and make no contribution to said fund is unjust to residents of this state.

The boundary line between the states of Oregon and Washington on the lower Columbia, having become uncertain by reason of changes in the channel of said river, leaves the question of jurisdiction of the respective states over a certain district in doubt. Some trouble has already occurred from this cause and more may at any time appear. Concurrent action should be had defining the boundary.